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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/678,573	10/03/2000	Adrian Pell	10990443-3	5628

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HEWLETT PACKARD COMPANY  
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INTELLECTUAL PROPERTY ADMINISTRATION  
FORT COLLINS, CO 80527-2400

EXAMINER
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LIPMAN, JACOB

ART UNIT	PAPER NUMBER
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2134

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/12/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

09/678,573

Applicant(s)

PELL, ADRIAN

Examiner

Jacob Lipman

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 11 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.


## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
RAMBIZ ZAND  
PRIMARY EXAMINER

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made

2. Claims 1-20, are rejected under 35 U.S.C. 103(a) as being unpatentable over Waldin Jr. et al., US Patent number 6,052,531 in view of Microsoft Press, in Computer Dictionary.

With regard to claims 1 and 11, Waldin Jr. discloses a requesting system (column 4 lines 1-12) coupled to the Internet (column 8 lines 32-35) from which a user requests assistance from a support representative utilizing a web browser client (DeltaDirectory), a support system (column 4 lines 17-24) which responds to the requesting user (column 4 lines 35-40), and a collaboration system (column 8 lines 28-57) accessible to the requesting and support systems (column 7 lines 37-42), the collaboration system including a rendezvous service to initiate communication between the systems (column 4 lines 38-40) and an interaction service to manage interaction between the systems (column 4 line 39) over the Internet (column 8 lines 32-35). Waldin does not disclose the computers having firewalls. Microsoft Press discloses that firewalls are well known security systems to protect a network against external threats by deciding whether it is safe to let a particular message or file through to the network (page 197). It would have been obvious for one of ordinary skill in the art to have

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firewalls installed in the system of Waldin for the motivation of protecting it from threats while allowing messages from known external systems, such as the support system, to pass through.

With regard to claims 2 and 12, Waldin discloses the proper support is located by the rendezvous service (column 4 line 38-39). Waldin discloses an automated system, and does not disclose a human representative. Although it is inherent that a human has written the software to generate the patches of Waldin, it is not inherent that the system should not be completely automated. The examiner takes official notice that it is known to have human beings respond to service updates to provide a more personal and user-friendly environment. It would have been obvious for one of ordinary skill in the art to have a human representative walk a user through an update in Waldin, perhaps for an additional fee, for the motivation of making the system more user-friendly.

With regard to claims 3 and 13, Waldin discloses rules used to locate the proper support (column 4 lines 38-39).

With regard to claims 4 and 14, Waldin discloses support is received on a proxy (column 4 lines 38-40).

With regard to claims 5 and 15, Waldin discloses the support representative generates the response (column 4 lines 17-24).

With regard to claims 6 and 16, Waldin discloses the response is an executable to be run on the requesting system (column 4 lines 40-45).

With regard to claims 7 and 17, Waldin discloses the support proxy loads the response (column 4 lines 38-40).

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With regard to claims 8 and 18, Waldin discloses the response is digitally signed (column 4 lines 45-46).

With regard to claims 9 and 19, Waldin discloses the support proxy verifies the signature (column 9 lines 36-42).

With regard to claims 10 and 20, Waldin discloses the system of claim 9, as outlined above, but does not disclose the length of the key used to sign the response. The examiner takes official notice that using a key of at least 128 bits is a well known in the art to increase security. It would have been obvious to one of ordinary skill in the art to sign use a key of at least 128 bits to sign the response in Waldin.

3. Claims 1-5, and 11-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karaev et al., USPN 5,802,518 in view of Microsoft Press, in Computer Dictionary.

With regard to claims 1 and 11, as best understood, Karaev discloses a requesting system (column 3 lines 12-15) coupled to the Internet (column 3 lines 15-20) from which a user requests assistance from a support representative utilizing a web browser client (column 3 lines 47-57), a support system which responds to the requesting user (column 4 lines 6-14), and a collaboration system (CGI program) accessible to the requesting and support systems (column 27 lines 1-3), the collaboration system including a rendezvous service to initiate communication between the systems (column 27 lines 1-30) and an interaction service to manage interaction between the systems (column 8 line 56-column 9 line 4) over the Internet (column 9 lines 5-8). Karaev does not disclose the computers having firewalls. Microsoft Press

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discloses that firewalls are well known security systems to protect a network against external threats by deciding whether it is safe to let a particular message or file through to the network (page 197). It would have been obvious for one of ordinary skill in the art to have firewalls installed in the system of Karaev for the motivation of protecting it from threats while allowing messages from known external systems, such as the support system, to pass through.

With regard to claims 2, 3, 12, and 13, Karaev discloses the systems of claims 1 and 11 as outlined above, but does not disclose a human fielding the query responses. The examiner takes official notice that it is known to have human beings respond to requests to provide a more personal and user-friendly environment. It would have been obvious for one of ordinary skill in the art to have a human representative walk a user through a query in Karaev, perhaps for an additional fee, for the motivation of making the system more user-friendly.

With regard to claims 4 and 14, Karaev discloses a web server handling the request (column 3 lines 15-20).

With regard to claims 5 and 15, Karaev discloses a response is generated by a support representative and transmitted to the interaction service (column 4 lines 26-32)

### ***Response to Arguments***

4. Applicant's arguments filed 17 February 2006 have been fully considered but they are not persuasive.

With regard to applicant's argument that Waldin does not disclose user requesting assistance from a support representative. Waldin discloses that a user's

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virus protection software is updated. An update is a request from a user from a support representative. Waldin further discloses that the frequency of the requests is set by a user (column 4 lines 1-12), thus the user is making the request. Applicant argues that software on the user's computer retrieves the updates for him. The examiner points out that not only does software making a request for a user read on a user making a request, but even in applicant's invention software makes a request on behalf of the user.

With regard to applicants argument that Waldin does not teach a Web browser client to request support, the examiner points to column 8 lines 32-35. Waldin discloses that the updater has access to a list of URLs to retrieve the data. Waldin further discloses the DeltaDirectory supports querying of a file directory such as HTTP, FTP, and file servers.

With regard to applicant's argument that the support representative does not respond, the examiner points out that Waldin discloses the representative sends the update (column 4 lines 35-40).

With regard to applicant's challenge of the examiner's official notice the examiner gives the following support:

Sisley et al., USPN 5,467,268, discloses having human beings respond to requests to provide a more personal and user-friendly environment (column 1 lines 40-55).

Silverbrook, USPN 6,217,165, discloses using a key of at least 128 bits is a well known in the art to increase security (column 163 lines 42-45).

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob Lipman whose telephone number is 571-272-3837. The examiner can normally be reached on M-Th 7 AM-3 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jacques Louis-Jacques can be reached on 571-272-6962. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JL

  
KAMBIZ ZAND  
PRIMARY EXAMINER